

**REMARKS**

This Application has been carefully reviewed in light of the final Office Action transmitted March 22, 2007 (the "Office Action"). At the time of the Office Action, Claims 1-3, 5-10, 12-17 and 19-21 were pending in the application. The Office Action rejects Claims 1-3, 5-10, 12-17 and 19-21. Applicants respectfully request reconsideration and favorable action in this case.

**Double Patenting Rejections**

Claims 1-3, 5-10, 12-17 and 19-21 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-21 of co-pending application 10/807,560 and Claims 1-21 of co-pending application 10/807,572. Applicants traverse the Examiner's double patenting rejections but submit the enclosed Terminal Disclaimer in order to advance prosecution. Applicants respectfully request withdrawal of these rejections.

**Section 102 Rejections**

The Examiner rejects Claims 1-3, 7-10, 14-17, 20 and 21 under 35 U.S.C. 102(b) as being anticipated by WO 2003/001340 to Mosttov ("*Mosttov*"). Applicants respectfully traverse these rejections.

Claim 1 recites wherein a selected one of the applications has a first application state and a second application state and wherein the command map associated with the selected application comprises a first mapping for the first application state and a second mapping for the second application state, the first mapping and the second mapping each mapping selected ones of the gestures to selected ones of the predefined commands of the selected application. Claims 8, 15 and 21 recite similar elements. Applicants previously noted that *Mosttov* discloses that different applications may be assigned different actions or meanings to tokens representing specific gestures. See *Mosttov*, page 8, lines 4-11. However, *Mosttov* does not disclose different gesture mappings for different states (e.g., a first state and a second state) of the same application.

In response, the Office Action states that:

Page 8, lines 1-14 of *Mosttov* teaches the one applications has a first application state and a second application state, and mapping for the first and second application states as claimed (e.g., shaking motion is a command to close the application – first application state, it is inherent the device has to have a different motion – second application state, in order to open the application; the shaking motion and different motion correspond to the selected gestures of predefined commands of the selected application).

Office Action, page 10. While it is unclear as to what the Office Action is suggesting are first and second application states in *Mosttov*, it appears that the Office Action suggests that the disclosed shaking motion is a gesture to perform the command of closing an application and that another, undisclosed gesture performs an undisclosed command of opening the application. The Office Action's quote also seems to suggest that the shaking and other undisclosed motions are also application states, even though there is nothing to support this assertion that motions of a device could be deemed application states.

The claim elements at issue recite a first mapping and second mapping for different application states of the same application, where the first mapping and the second mapping each map selected gestures to selected commands of the application. *Mosttov* does not disclose these elements. At the most, even with the Office Action's statements, *Mosttov* discloses that different applications may separately map gestures to different commands. However, *Mosttov* does not disclose a first mapping of gestures for a first application state of an application and a second mapping of gestures for a second application state of the same application. Therefore, for at least these reasons, Applicants respectfully submit that Claims 1, 8, 15 and 21 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 2-3 and 7 each depends from Claim 1, Claims 9-10 and 14 each depends from Claim 8 and Claims 16-17 and 20 each depends from Claim 15. Thus, for at least the reasons discussed above with respect to Claims 1, 8 and 15, Applicants respectfully request that the rejections of Claims 2-3, 7, 9-10, 14, 16-17 and 20 be withdrawn.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Chad C. Walters, Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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